

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : Ralf M. Luche, et al.
Application No. : 09/775,925
Filed : February 1, 2001
For : DSP-12 AND DSP-13 DUAL-SPECIFICITY PHOSPHATASES
Docket No. : 200125.420
Group Art Unit : 1646
Date : April 27, 2001

Box Missing Parts
Commissioner for Patents
Washington, DC 20231

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

Commissioner for Patents:

In response to the Notice to File Missing Parts dated March 8, 2001, please find enclosed the following documents:

X Check
X Return Receipt Postcard
X PTO/SB/21
X PTO/SB/17 (+1 copy)
X Response to Notice to File Missing Parts (+1 copy)
X Declaration
X Election and Power of Attorney
X Copy of Assignment
X Copy of Notice to File Missing Parts

Respectfully submitted,

Ralf M. Luche, et al.

Seed Intellectual Property Law Group PLLC

Stephen J. Rosenman, Ph.D.
Registration No. 43,058

EXPRESS MAIL NO. EL 755732300US

PTO/SB/21 (08-00)

Approved for use through 10/31/2002, OMB 0651-0031

U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Please type a plus sign (+) inside this box →

TRANSMITTAL FORM

(To be used for all correspondence after initial filing)

TRANSMITTAL FORM		Application Number	09/775,925
(To be used for all correspondence after initial filing)		Filing Date	February 1, 2001
		First Named Inventor	Ralf M. Luche
		Group Art Unit	1646
		Examiner Name	
		Attorney Docket No.	200125.420

ENCLOSURES (check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement; Form PTO-1449 <input type="checkbox"/> Cited References <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts under 37 C.F.R. 1.52 or 1.53 <input checked="" type="checkbox"/> Response to Missing Parts/Incomplete Application	<input type="checkbox"/> Assignment Papers (<i>for an Application</i>) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Request for Corrected Filing Receipt <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input checked="" type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input checked="" type="checkbox"/> Declaration <input type="checkbox"/> Statement under 37 CFR 3.73(b) <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request for Refund	<input type="checkbox"/> CD(s), Number of CD(s) _____ <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and interferences <input type="checkbox"/> Appeal Communication to Group (<i>Appeal Notice, Brief, Reply Brief</i>) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Return Receipt Postcard <input checked="" type="checkbox"/> Additional Enclosure(s) (<i>please identify below</i>): <u>Copy of Assignment</u> <u>Copy of Notice to File Missing Parts</u>
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Remarks

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Individual Name Stephen J. Rosenman, Ph.D.



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PATENT TRADEMARK OFFICE

Signature

Date

APR 2

FEE TRANSMITTAL for FY 2001

Patent fees are subject to annual revision

TOTAL AMOUNT OF PAYMENT (\$ 2,345)

Complete if Known

Application Number	09/775,925
Filing Date	February 1, 2001
First Named Inventor	Ralf M. Luche
Examiner Name	
Group Art Unit	1646
Attorney Docket No	200125.420

METHOD OF PAYMENT

1. The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:

Deposit Account Number	19-1090
Deposit Account Name	Seed Intellectual Property Law Group PLLC

Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17 and credit any overpayment to Deposit Account Number above

Applicant claims small entity status See 37 CFR 1.27

2. Payment Enclosed

Check Credit card Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
101	710	201	355	Utility filing fee	355
106	320	206	160	Design filing fee	
107	490	207	245	Plant filing fee	
108	710	208	355	Reissue filing fee	
114	150	214	75	Provisional filing fee	
SUBTOTAL (1)					(\$ 355)

2. EXTRA CLAIM FEES

Total Claims	130	-20** =	110	Extra Claims	9	Fee from below	9	=	990	Fee Paid
Independent Claims	23	-3** =	20		40		40	=	800	
Multiple Dependent							135	=	135	

Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)		
103	18	203	9	Claims in excess of 20	
102	80	202	40	Independent claims in excess of 3	
104	270	204	135	Multiple dependent claim if not paid	
109	80	209	40	** Reissue independent claims over original patent	
110	18	210	9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2)					(\$ 1925)

** or number previously paid if greater. For Reissues see above.

FEE CALCULATION (continued)

3. ADDITIONAL FEES		Large Entity		Small Entity		Fee Description	Fee Paid
Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Code	Fee (\$)		
105	130	205	65	Surcharge - late filing fee or oath			65
127	50	227	25	Surcharge - late provisional filing fee or cover sheet			
139	130	139	130	Non-English specification			
147	2,520	147	2,520	For filing a request for ex parte reexamination			
112	920*	112	920*	Requesting publication of SIR prior to Examiner action			
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action			
115	110	215	55	Extension for reply within first month			
116	390	216	195	Extension for reply within second month			
117	890	217	445	Extension for reply within third month			
118	1,390	218	695	Extension for reply within fourth month			
128	1,890	228	945	Extension for reply within fifth month			
119	310	219	155	Notice of Appeal			
120	310	220	155	Filing a brief in support of an appeal			
121	270	221	135	Request for oral hearing			
138	1,510	138	1,510	Petition to institute a public use proceeding			
140	110	240	55	Petition to revive - unavoidable			
141	1,240	241	620	Petition to revive - unintentional			
142	1,240	242	620	Utility issue fee (or reissue)			
143	440	243	220	Design issue fee			
144	600	244	300	Plant issue fee			
122	130	122	130	Petitions to the Commissioner			
123	130	123	130	Petitions related to provisional applications			
126	180	126	180	Submission of Information Disclosure Stmt			
581	40	581	40	Recording each patent assignment per property (times number of properties)			
146	710	246	355	Filing a submission after final rejection (37 CFR § 1.129(a))			
149	710	249	355	For each additional invention to be examined (37 CFR § 1.129(b))			
119	710	219	355	Request for Continued Examination (RCE)			
109	900	169	900	Request for expedited examination of a design application			
Other fee (specify) _____							

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$ 65)

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SUBMITTED BY

Name (Print/Type) Stephen J. Rosenman, Ph.D.	Registration No Attorney/Agent) 43,058
Firm Name/ Address _____	



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ASSIGNMENT

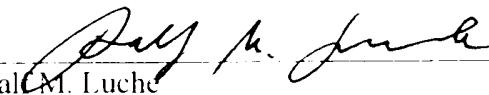
WHEREAS, we, Ralf M. Luche and Bo Wei (hereinafter referred to as ASSIGNORS), having post office addresses of 4028 Northeast 196th Court, Seattle, Washington 98155, and 10565 Northeast 137th Place, Kirkland, Washington 98034, respectively, are the listed inventors/applicants of the patent application entitled "DSP-12 AND DSP-13 DUAL-SPECIFICITY PHOSPHATASES," as filed with the U.S. Patent and Trademark Office on February 1, 2001, and assigned Application No. 09/775,925, and that this application discloses and claims subject matter disclosed in our earlier-filed U.S. Provisional Application No. 60/179,886, filed February 2, 2000.

WHEREAS, CEPTYR, Inc. (hereinafter referred to as ASSIGNEE), a corporation of the State of Delaware having a place of business at 22215 – 26th Avenue Southeast, Bothell, Washington 98021, is desirous of acquiring the entire right, title and interest in and to the invention and in and to any letters patent that may be granted therefor in the United States and in any and all foreign countries;

NOW, THEREFORE, in exchange for good and valuable consideration, the receipt of which is hereby acknowledged, ASSIGNORS hereby sell, assign and transfer unto said ASSIGNEE the entire right, title and interest in and to said invention, said application and any and all letters patent which may be granted for said invention in the United States of America and its territorial possessions and in any and all foreign countries, and in any and all divisions, reissues and continuations thereof, including the right to file foreign applications directly in the name of ASSIGNEE and to claim priority rights deriving from said United States application to which said foreign applications are entitled by virtue of international convention, treaty or otherwise, said invention, application and all letters patent on said invention to be held and enjoyed by ASSIGNEE and its successors and assigns as fully and entirely as the same would have been held and enjoyed by ASSIGNORS had this assignment, transfer and sale not been made. ASSIGNORS hereby authorize and request the Commissioner of Patents and Trademarks to issue all letters patent on said invention to ASSIGNEE. ASSIGNORS agree to execute all instruments and documents required for the making and prosecution of applications for United

States and foreign letters patent on said invention, for litigation regarding letters patent, or for the purpose of protecting title to said invention or letters patent therefor.

4-23-01
Date

Ralf M. Luche


State of Washington)
County of Snohomish)

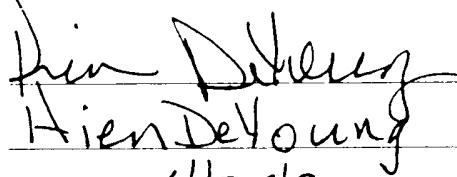
ss.

I certify that I know or have satisfactory evidence that Ralf M. Luche is the person who appeared before me, and said person acknowledged that he signed this instrument and acknowledged it to be his free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 4/23/01

Signature of
Notary Public



Printed Name

Hien DeYoung

My appointment expires

4/29/02

4-23-01
Date

Bo Wei

State of Washington)
County of Snohomish)

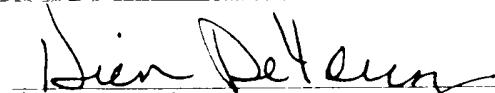
ss.

I certify that I know or have satisfactory evidence that Bo Wei is the person who appeared before me, and said person acknowledged that she signed this instrument and acknowledged it to be her free and voluntary act for the uses and purposes mentioned in the instrument.



Dated 4/23/01

Signature of
Notary Public



Printed Name

Hien DeYoung

My appointment expires

4/29/02